Applicant: George Shih, et al.
Serial No.: 10/684,718
Attorney Docket No.: 81044317(202-0587)

**REMARKS**

Claims 1-25 are pending herein.

Claims 17-25 are withdrawn from consideration.

Claims 1-16 are rejected.

Claims 1, 7 and 9 are currently amended.

**Election/Restriction**

Restriction was made between the invention of Group I, claims 1-16 and drawn to a method of readying a fuel cell cooling circuit (class 134, subclass 22.1) and Group II, claims 17-25 and drawn to an apparatus comprising a flushing system including a cooling circuit, a filtering system and a pump for circulation (class 134, subclass 166R). On November 17, 2005 a provisional election was made without traverse to prosecute the invention of Group I, claims 1-16. Applicants hereby affirm the election of claims 1-16 for prosecution.

**Claim rejections under 35 U.S.C. 112**

Claim 7 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It was stated that claim 7 is incomplete and confusing because it is not clear how the filter is blocked and what is the location of the filter in the cooling circuit.

It will be noted that claim 7 as amended clarifies that a filter is "connected to said cooling circuit" and a shutoff valve is "between said cooling circuit and said filter". Claim



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7 as amended further includes the step of "blocking the flow of coolant to said filter by closing said shutoff valve until step (A) is complete".

Therefore, it is clear from the language of amended claim 7 that the filter is blocked by a valve and the filter is connected to the cooling circuit.

It is therefore respectfully submitted that amended claim 7 particularly points out and distinctly claims the subject matter which applicants regard as the invention, in the manner prescribed by 35 U.S.C. 112, second paragraph. Reconsideration and allowance of claim 7 is therefore respectfully solicited.

**Claim rejections under 35 U.S.C. 103**

Claims 1-3 and 5-16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kralick (U.S. Pat. No. 6,316,137) in view of Light (U.S. Pat. No. 5,094,757).

In light of the amendments to claims 1 and 9, it is respectfully submitted that Kralick in view of Light fails to render claims 1-3 and 5-16 obvious under 35 U.S.C. 103(a), as set forth herein below.

*Kralick in view of Light fails to teach invention of claims 1-3 and 5-8*

It is respectfully submitted that Kralick in view of Light fails to teach or suggest a method comprising "...(A) flushing [a] cooling circuit *by distributing coolant from a coolant storage tank to a holding tank and from the holding tank to the cooling*



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*circuit…*", in combination with the remaining limitations set forth in amended claim 1, and therefore, defined by claims 2, 3 and 5-8 as dependent from amended claim 1.

Therefore, it is respectfully submitted that Kralick in view of Light fails to render claims 1-3 and 5-8 obvious under 35 U.S.C. 103(a). Reconsideration and allowance of claims 1-3 and 5-8 is therefore respectfully solicited.

*Kralick in view of Light fails to teach invention of claims 9-16*

It is respectfully submitted that Kralick in view of Light fails to teach or suggest a method comprising "…(A) connecting [a] cooling circuit to an external coolant flushing system *having a coolant storage tank and a pressurized holding tank connected to the coolant storage tank* for flushing the cooling circuit; (B) circulating a volume of coolant *from the coolant storage tank to the pressurized holding tank and from the pressurized holding tank to the cooling circuit…*", in combination with the remaining limitations set forth in amended claim 9, and therefore, defined by claims 10-16 as dependent from amended claim 9.

Therefore, it is respectfully submitted that Kralick in view of Light fails to render claims 9-16 obvious under 35 U.S.C. 103(a). Reconsideration and allowance of claims 9-16 is therefore respectfully solicited.

Claim 4 was rejected under 35 U.S.C. 103(a) as being unpatentable over Kralick in view of Light as applied to claim 3



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above, and further in view of Yamada (U.S. Pat. No. 6,887,608).

As claim 4 depends from amended claim 1, and therefore, incorporates all of the limitations of amended claim 1, it is respectfully submitted that Kralick in view of light and further in view of Yamada fails to teach or suggest a method comprising "...(A) flushing [a] cooling circuit *by distributing coolant from a coolant storage tank to a holding tank and from the holding tank to the cooling circuit...*", in combination with the remaining limitations set forth in amended claim 1, and therefore, defined by claim 4 as dependent from amended claim 1.

Therefore, it is respectfully submitted that Kralick in view of Light and further in view of Yamada fails to render claim 4 obvious under 35 U.S.C. 103(a). Reconsideration and allowance of claim 4 is therefore respectfully solicited.

Claims 1-3 and 5-16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Oko et al. (2001/0049033) in view of Light.

In light of the amendments to claims 1 and 9, it is respectfully submitted that Oko et al. in view of Light fails to render claims 1-3 and 5-16 obvious under 35 U.S.C. 103(a), as set forth herein below.

*Oko et al. in view of Light fails to teach invention of claims 1-3 and 5-8*

It is respectfully submitted that Oko et al. in view of Light fails to teach or suggest a method comprising "...(A)



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flushing [a] cooling circuit *by distributing coolant from a coolant storage tank to a holding tank and from the holding tank to the cooling circuit…*", in combination with the remaining limitations set forth in amended claim 1, and therefore, defined by claims 2, 3 and 5-8 as dependent from amended claim 1.

Therefore, it is respectfully submitted that Oko et al. in view of Light fails to render claims 1-3 and 5-8 obvious under 35 U.S.C. 103(a). Reconsideration and allowance of claims 1-3 and 5-8 is therefore respectfully solicited.

*Oko et al. in view of Light fails to teach invention of claims 9-16*

It is respectfully submitted that Oko et al. in view of Light fails to teach or suggest a method comprising "…(A) connecting [a] cooling circuit to an external coolant flushing system *having a coolant storage tank and a pressurized holding tank connected to the coolant storage tank* for flushing the cooling circuit; (B) circulating a volume of coolant *from the coolant storage tank to the pressurized holding tank and from the pressurized holding tank to the cooling circuit…*", in combination with the remaining limitations set forth in amended claim 9, and therefore, defined by claims 10-16 as dependent from amended claim 9.

Therefore, it is respectfully submitted that Oko et al. in view of Light fails to render claims 9-16 obvious under 35 U.S.C. 103(a). Reconsideration and allowance of claims 9-16 is



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therefore respectfully solicited.

Claim 4 was rejected under 35 U.S.C. 103(a) as being unpatentable over Oko et al. in view of Light as applied to claim 3 above, and further in view of Yamada.

As claim 4 depends from amended claim 1, and therefore, incorporates all of the limitations of amended claim 1, it is respectfully submitted that Kralick in view of light and further in view of Yamada fails to teach or suggest a method comprising "…(A) flushing [a] cooling circuit *by distributing coolant from a coolant storage tank to a holding tank and from the holding tank to the cooling circuit…*", in combination with the remaining limitations set forth in amended claim 1, and therefore, defined by claim 4 as dependent from amended claim 1.

Therefore, it is respectfully submitted that Oko et al. in view of Light and further in view of Yamada fails to render claim 4 obvious under 35 U.S.C. 103(a). Reconsideration and allowance of claim 4 is therefore respectfully solicited.



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*Conclusion*

Every effort has been made to amend applicant's claims in order to define his invention in the scope to which it is entitled. Accordingly, reconsideration and allowance of claims 1-16 is respectfully solicited.

Respectfully submitted,

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